

To: Abrams, Dan[Abrams.Dan@epa.gov]
From: Gong, Kristiene
Sent: Thur 8/13/2015 5:25:49 PM
Subject: Clips analysis- shift in coverage

Hi Dan,

Here's what I've got so far- let me know if there's anything you want me to add/change! As of yet I haven't seen any articles that specifically refer to the new data from last night but I'll keep an eye out.

Water/Situation is Improving

Washington Times

<http://www.washingtontimes.com/news/2015/aug/12/john-hickenlooper-colorado-governor-drinks-animas-/>

Colorado governor drinks water from formerly orange river contaminated by EPA

By Valerie Richardson - The Washington Times - Wednesday, August 12, 2015

DENVER — Colorado Gov. John Hickenlooper once drank fracking fluid to prove a point, so guzzling water from the EPA-contaminated Animas River was apparently no big deal.

The governor, an ex-geologist turned brew-pub owner, took several swigs of water from the previously bright-orange river during his Tuesday visit after the Durango Herald asked if he would do so.

“Am I willing to go out there and demonstrate that we’re back to normal?” Mr. Hickenlooper said after the question was broached. “Certainly. I’m happy to do that. I’m dead serious.”

On the advice of Colorado’s chief medical officer, Dr. Larry Wolk, the Democratic governor first added an iodine tablet to his water bottle to kill giardia and E.coli germs.

“If that shows that Durango is open for business, I’m happy to help,” Mr. Hickenlooper told the Herald, which videotaped the event.

Afterward, the governor, who stressed that no one should drink river water anywhere without adding iodine, announced that the Animas is “perfectly fine for rafting.”

EPA administrator Gina McCarthy said during her Wednesday tour that water samples tested by agency scientists show that the river is back to its “pre-event conditions.” The EPA accidentally uncorked 3 million gallons of acidic toxic sludge on Aug. 5 during a reclamation project at the Gold King Mine.

The spill, which moved downriver to New Mexico, is expected to reach Lake Powell in Utah, but a Bureau of Reclamation spokeswoman told the Associated Press that the Bureau isn’t concerned about how the spill will affect the water quality there.

Justyn Liff said the wastewater spill is smaller than five Olympic-sized swimming pools, while Lake Powell can fill 6.4 million such pools

Dispatch Times:

<http://www.dispatchtimes.com/contaminated-water-from-mine-spill-still-not-detected-in-utah/44986/>

Contaminated Water from Mine Spill Still Not Detected in Utah

BY NEWSMEDIA

ON AUGUST 13, 2015

The EPA has not said how long cleanup efforts will take. After first putting the spill at a million gallons, the EPA has now tripled that estimate.

In Colorado, New Mexico and Utah, towns that are downstream from the old gold mine where contaminated wastewater spewed into a river have shut off their water supplies' connections to the spill.

This is an agency that will aggressively fine businesses, municipalities and anyone or anything else for even the slightest violation of its ridiculously strict standards, but that will face zero fines for its own environmental catastrophe.

Russell Begaye, president of the Navajo Nation, said he intends to sue the EPA over the impact of the mine water, Native News reported Tuesday.

The waste is expected to reach Lake Powell and then the Colorado River by midweek. The plume has since passed through parts of Colorado, New Mexico, Utah and the Navajo Nation.

Sen. James Inhofe, a Republican from Oklahoma and chairman of the Environment and Public Works Committee, called the spill a "grave incident" and said he planned to hold the EPA responsible.

"We're going to assume that maybe it's in there mixed around, but we really don't have any evidence to say conclusively that it's entered Utah", Spangler said.

The former geologist said that if there's a "silver lining" to the disaster, it will be a new relationship between the state and the EPA to solve the problem.

However, experts say a long-term concern is the deposit of heavy metals from the spill that have settled into river sediments, where they can be churned up and unleash a new wave of pollution when storms hit or rivers run at flood stage. "We would hope that they would be cautious and recognize how a river is such a lifeblood to these people down here". Officials have blocked farmers from irrigating crops with river water and have ordered thousands of well owners to have their water tested. It also said the agency has seen no indication of widespread fish mortality in the Animas or San Juan Rivers.

The plume of orange sludge that came down the Animas River following a mine breach in Silverton, Colorado last week is clearing up in the Farmington area as it flows along through the San Juan River, through the Navajo Nation and into Utah.

Last week, a cleanup crew from the Environmental Protection Agency working along the Animas River in southwestern Colorado accidentally broke through a dam, causing a nearby abandoned mine to spew 3 million gallons of wastewater into the river.

EPA Administrator Gina McCarthy said Tuesday in Washington, D.C., that she takes full responsibility for the spill, which she said "pains me to no end".

"The Governor is disturbed by the lack of information provided by the EPA to our environmental agencies in New Mexico and strongly believes that people in our communities downstream deserve to have all the information about this situation", said Chris Sanchez, the governor's spokesperson.

In Colorado alone, there are an estimated 23,000 abandoned mines. The San Juan River is the main supply for irrigation in that area.

"The initial response from the EPA was lacking, to say the least", he told AFP.

On Tuesday morning, Colorado Gov. John Hickenlooper got an up close look at the Animas River at a fish hatchery in Durango.

The sludge moved so quickly that it would not have caused significant health effects to animals that consumed the water, EPA toxicologist Deborah McKean said.

Minnesota Public Radio News (MN):

<http://www.mprnews.org/story/2015/08/13/npr-water>

EPA administrator: Water quality improving in contaminated western rivers

Brakkton Booker

Aug 12, 2015

The head of the Environmental Protection Agency says samples of waters that flow through three Western states, contaminated by waste from an abandoned Colorado mine last week, are showing improvement. Experts say the heavy metals and other materials are still there, though, in the riverbeds.

Speaking to reporters today from Durango, Colo., EPA Administrator Gina McCarthy promised more details later but did provide what she called "very good news."

"We have water quality data from Aug. 7, 8 and 9 from La Plata County and it shows that the levels have returned to pre-event conditions," McCarthy said.

It was not quite an "all clear," though.

The Associated Press reports that the riverbed remains tainted:

" 'There will be a source of these contaminants in the rivers for a long time,' said hydrologist Tom Myers, who runs a Nevada-based consulting business. 'Every time there's a high flow, it will stir it up and it will be moving those contaminants downstream.' "

McCarthy said EPA will work "with our counties and our local communities so that they can have a chance to review this data thoroughly and they can have a full opportunity to talk through what this means in terms of decisions they're going to make moving forward."

"The very good news is that the data so far is showing that water quality does restore itself to its prior conditions," McCarthy said.

It's been a week since a toxic flood of heavy metals, arsenic and other materials from the Gold King Mine spilled into the waterway, turning it a vibrant mustard color.

McCarthy announced the EPA would be conducting an internal investigation as to what caused the Aug. 5 spill. The EPA chief also said her agency will seek an independent review of what happened.

The Denver Post reports:

"While in the region, McCarthy is not planning a trip to the Gold King Mine, nor is she holding a public meeting. The incident, she said, was a 'heart-breaking situation.' "

McCarthy reiterated points she made ahead of her trip to Colorado, saying, "No agency could be

more upset about the incident happening" and that the EPA is taking full responsibility.

As we've reported, the spill was triggered last week when an EPA cleanup team breached a dam at an abandoned Colorado mine.

Peoria Times (AZ):

http://www.peoriatimes.com/news/article_955c9de0-411c-11e5-81b0-934ab6a76ecd.html

Colorado mine leak not expected to affect Arizona water supply

By DARRELL JACKSON, Staff Writer

Posted: Thursday, August 13, 2015 12:00 am

Orange water flowing through the Animas River in New Mexico and down the San Juan River toward Lake Powell is headed towards Arizona, but officials are trying to ease West Valley resident's fears.

"There is no threat to anyone in Arizona and it will not have an impact on the Central Arizona Project (CAP)," said CAP spokesman and former Peoria Mayor Bob Barrett.

Barrett said that CAP has been monitoring the situation in Colorado and New Mexico and they test the water here every week, but there is no risk to the drinking water in Arizona.

"It will not impact CAP as it has not reached Lake Powell yet," Barrett said. "The breach is about 9,000 acre feet of materials and as it travels along the rivers, it will become diluted. Once it does reach Lake Powell, where there is about 13 million acre feet of water, so, if it did reach that point, it would be completely diluted."

Three million gallons of toxic mining sludge leaked into the Animas River after a mistake by the Environmental Protection Agency dumped the pollutants into the water from abandoned mines in Colorado.

The U.S. Environmental Protection Agency's mine cleanup crew last week accidentally triggered the 3 million-gallon spill north of Durango.

The agency said its crews were excavating a collapsed mine entrance last week to find the source of poisoned wastewater that had run at up to 250 gallons a minute for years, tainting a headwaters creek.

On Aug. 10, the EPA released test results showing lead and manganese levels far exceeding safe drinking water standards on a stretch of the Animas River. Copper and zinc levels were also elevated.

Barrett said the tests of the Arizona water has yet to show any rise in lead or manganese levels and they are not expecting to see any.

"No, we shouldn't see any rises in those levels," Barrett said. "It is going to be so diluted that I don't think any of those will show up in our tests."

The Animas River flows into the San Juan River, which travels through New Mexico and Utah before emptying into Lake Powell.

Glen Canyon National Recreation Area officials have advised boaters, swimmers and campers to avoid the river and the 40-mile San Juan River arm of the reservoir until further notice.

EPA continues to collect water samples daily from the Animas and San Juan rivers. Fish cages placed directly in the Animas River indicate no mortality as a result of the spill.

“To date, we have seen no indication of widespread fish mortality in the Animas or San Juan Rivers,” a news release from the EPA said.

While lacking specific health and environmental impacts, the EPA is reporting a downward trend in water concentrations for metals at sample sites.

Dissolved iron in the waste turned the water an orange-yellow color, so “the water appears worse aesthetically than it actually is, in terms of health,” said Ron Cohen, a civil and environmental engineering professor at the Colorado School of Mines in a news release.

New Mexico Gov. Susana Martinez has declared an emergency that frees up state funds to address the wastewater plume as the Animas enters the state and joins the San Juan River. Colorado Gov. John Hickenlooper declared a state of emergency Aug. 10.

Federal officials said more than 3 million gallons of water tainted with lead, arsenic and other heavy metals contaminated the Animas River following last week’s spill.

The EPA said it is considering options for clean-up that would require funding from the mine owner, San Juan Corp.

Press Examiner:

<http://www.pressexaminer.com/river-is-at-pre-event-conditions/34062>

River is at pre-event conditions

By Claire Hopkins

August 13, 2015

The polluted waters were carried along the Animas River through Durango and then flowed into the San Juan River at the confluence of the rivers in Farmington on Saturday morning.

“The good news so far is that water quality does restore itself to its prior conditions”, she said.

The EPA initially estimated that 1m gallons of the toxic orange-brown sludge with the acidity of beer had spilled into the Animas River, but four days later upped that estimate to 3m gallons of fluorescent waste.

EPA tests on the sickly orange-yellow plume showed a spike in heavy metal levels that decreased as the pollution moved downstream.

Instead, the EPA’s contractor took the short route, punched a hole in and burst the containment bridge and the deluge erupted, swelling Cement Creek with toxic mine mush, then contaminating and discoloring the Animas River below its path.

The EPA says it’s expecting to release more data on Wednesday which may include numbers from New Mexico’s stretch of the Animas and the San Juan. The spill happened when a crew working at the site on behalf of the EPA accidentally knocked a hole through a dam that was holding the toxic stew in place.

The Navajo Nation has already begun a lawsuit, and more will surely be on the way. The San Juan River is the main supply for irrigation in that area. “This river, the San Juan, is our lifeline, not only in a spiritual sense but also it’s an economic base that sustains the people that live along the river”.

The EPA said it will be Monday at least, but perhaps take weeks more, before test results can help show what hazardous material is in the water. “That is just, to me, a disaster of a huge proportion”.

While EPA officials and toxicology experts stress that long-term ramifications of the spill remain to be seen, Hickenlooper said there did not “appear to be lasting environmental damage”. “It seems like the Obama administration just closed their doors and disappeared”, he said.

EPA Administrator Gina McCarthy continued Wednesday to make amends for the accident by touring the Animas River in Durango. The EPA – which admitted its role in the mishap – has somewhere around 20 Superfund Sites in Colorado where environmental impacts are the worst. In a statement, the Utah Attorney General’s office said that all three states support an independent review of the mishap in addition to the EPA’s review. Generally, heavy metal loads in the water column are considered less harmful than those in sediment, which can persist for years and be disturbed by natural events such as spring melt.

While there have been no fish or bird die-offs, Flynn said that doesn’t mean the river is healthy or safe. “The one thing we don’t know is sort of long term impacts to the aquatic community out here in general”. McCarthy stated the Animas River is unlikely to re-open instantly for leisure use, and is usually off-limits for kayakers and people who typically entry the waterway.

“Over two hundred sixteen million Americans rely on surface water as their source of drinking water”.

Navajo farmers are in the middle of alfalfa season and without rain, tribal officials say they will be in trouble.

The attorneys general plan a public announcement in the afternoon. “It was a preventable mistake, and they must be held accountable”, he said.

McCarthy said there is a “hiatus” on similar investigations at mines across the US until officials determine the cause of the spill.

The EPA said the spill occurred August 5 when one of its teams was using heavy equipment to

enter the Gold King Mine, a suspended mine north of Durango.

Durango Herald

<http://www.durangoherald.com/article/20150812/NEWS01/150819904/EPA:-River-is-at-pre-event-conditions->

EPA chief confirms Animas is recovering

Calls for halt to mine cleanup across country

By Chase Olivarius-Mcallister, Mary Shinn and Peter Marcus Herald staff writers

Article Last Updated: Wednesday, August 12, 2015 11:05pm

The head of the Environmental Protection Agency on Wednesday confirmed what Colorado officials already knew, that readings of the Animas River show a return to pre-contamination conditions.

“As always, the EPA is going to let science be our guide,” Environmental Protection Agency Administrator Gina McCarthy told reporters Wednesday at the La Plata County Fairgrounds. McCarthy visited Durango on Wednesday in response to a spill of 3 million gallons of heavy-metal tainted water an EPA-contracted crew accidentally released at the Gold King Mine near Silverton on Aug. 5.

The Environmental Protection Agency has launched a new website for the Animas River spill at www2.epa.gov/goldkingmine.

The Colorado Department of Public Health and Environment also has a webpage for the incident at www.colorado.gov/pacific/cdphe/animas-river-spill.

Gina McCarthy made the announcement during a 15-minute news conference in Durango at the La Plata County Fairgrounds, which the EPA has been using as a command center. McCarthy made no public appearances during her trip to Durango – other than to speak with the press – meeting behind closed doors with federal and local officials.

She did not tour the abandoned Gold King Mine near Silverton, where the EPA on Aug. 5 released an estimated 3 million gallons of wastewater into the Animas. While the EPA has taken responsibility for the error, the agency continues to be criticized for a delayed response, with answers trickling in.

Calling the agency's debacle "heartbreaking," McCarthy said the EPA is conducting an internal investigation.

"No agency could be more upset about the incident happening, and more dedicated in doing our job to get this right," McCarthy addressed a large group of reporters. "We couldn't be more sorry. Our mission is to protect human health and the environment. We will hold ourselves to a higher standard than anyone else."

The Durango Herald received several calls Wednesday from members of the public who wanted to know when and where they could meet with McCarthy. They had expected the EPA chief to hold a community meeting.

At the media availability, McCarthy said she was not in town to meet with the public, but instead to hold briefings with officials. She answered only nine minutes worth of questions from reporters before leaving the podium, as reporters continued to shout questions at her while she walked away.

"Right now I have a schedule where I am making sure that I touch base with all of their representatives and their technical experts so that we are responding to the needs that we know are being raised and we're doing that well," McCarthy said.

Elected officials weigh in

People at high levels of government may yet intervene. Colorado and New Mexico federal lawmakers on Wednesday sent President Barack Obama a letter urging him to direct resources toward addressing the spill. The letter was sent by Colorado U.S. Sens. Michael Bennet, a Democrat, and Cory Gardner, a Republican, as well as by U.S. Rep. Scott Tipton, R-Cortez, and Democrats New Mexico U.S. Sens. Tom Udall and Martin Heinrich, as well as by U.S. Rep. Ben Ray Luján, also a Democrat.

The gang of lawmakers asked Obama to focus “all appropriate federal resources on the tragic Gold King Mine spill.”

White House spokesperson Hallie Ruvin declined to comment on the record on Wednesday.

Gov. John Hickenlooper said he spoke with the White House about the mine spillage when it first happened, but that he had not followed up.

The congressional members who sent the letter pointed out that the Animas River and San Juan River are “critical to our states’ economies and way of life.”

“The communities we represent expect and deserve a prompt and thorough response to this disaster as well as transparency and accountability from the federal government,” the letter says.

EPA halts all cleanups

Meanwhile, McCarthy on Wednesday ordered all of her agency’s regions to cease fieldwork in mines across the country in the wake of the blowout, which sent sludge down the Animas River, into Durango, across state lines and into two Indian Nations. It was not immediately clear how many mining cleanup sites the directive affects across the nation. The EPA did not respond to a request for comment left by The Durango Herald.

“We are in the process of initiating an independent assessment by a sister federal agency or another external entity to examine the factors that led to last week’s incident,” McCarthy said in the directive. “Based on the outcome from that assessment, we will determine what actions may be necessary to avoid similar incidents at other sites.”

Federal officials were encouraged by the validated water-sample readings they released on Wednesday, taken on Friday, Saturday and Sunday. Officials did not immediately release the data sets, other than to say that levels had returned to pre-event conditions. Initial readings taken immediately after the spill found spiked levels of heavy metals, including lead, arsenic, cadmium, aluminum, copper and calcium, at varied levels. The water’s pH level also had initially plummeted.

State health officials on Tuesday also said water quality improved to pre-event levels.

Local governments guarded

Despite the positive news on water quality, Durango city officials are cautious, saying they will not start drawing water from the Animas immediately.

The city needs to complete more testing before opening up its intake on the Animas River, said Sherri Dugdale, assistant to the city manager. The city also plans to wait until irrigation companies have the chance to flush out ditches upstream of the intake before starting to treat city water. The city would like residents to continue to conserve water.

When the city does start drawing water from the Animas, irrigation will be allowed in stages. Those with gardens will be allowed to start watering first, then Hillcrest Golf Club, Parks and Recreation Department and other large water-users.

The Florida River is the city’s main source of water, and it has been sustaining the city since the

blowout. City tap water remains safe.

Those hoping to get back on the Animas for fun are also going to have to wait.

“Although we are all in agreement about the water quality results being back to pre-event levels,” La Plata County Sheriff Sean Smith said, “it is only prudent that we wait to have sediment testing results to ensure public safety prior to opening the river to recreation.”

As a precaution, the state health department recommends residents test the source of their well water if their wells are within one mile of the Animas River. The department has no indication the aquifer accessed by private wells has been contaminated, officials said in a news release. Residents should not take their own samples because technicians will be sent to sample the water from homes.

La Plata County is in the process of doing its own water quality testing to compare to state and federal results, said La Plata County Commissioner Gwen Lachelt.

The full cost of the disaster to both the city and county is unknown, though numbers may start to become available on Thursday, Lachelt said.

The county sent a long list of requests to the EPA, including assistance on initial costs, ongoing expenses, assessments of wells and public water systems and analyzing sediment and impacts to wildlife. County officials also want a full independent investigation into the EPA and a review of Superfund status for the mine, which would open the door to many more financial resources.

In the meantime, an emergency declaration by the governor makes \$500,000 available, and the city and county have continued their emergency declarations, which allows agencies to share resources.

CBS – Denver

<http://denver.cbslocal.com/2015/08/13/thursdays-mine-spill-timeline-epa-chief-visits-new-mexico-to-see-spill-fallout/>

Thursday's Mine Spill Timeline: EPA Chief Visits New Mexico To See Spill Fallout

AP

August 13, 2015 11:59AM

The head of the Environmental Protection Agency is visiting Farmington, New Mexico, to see how officials are dealing with the fallout from the Colorado mine waste spill that traveled downstream.

EPA Administrator Gina McCarthy is scheduled to meet with state, local and tribal officials Thursday and address reporters on a trail along the Animas River.

The visit follows her stop upstream in Durango, Colorado, on Wednesday. There, McCarthy said she was heartbroken by the spill and announced that investigation field work would stop at mines nationwide as the agency looks into what led up to last week's disaster.

An EPA-led crew accidentally unleashed 3 million gallons of wastewater containing metals such as arsenic, lead and iron.

Colorado says it's now safe for Durango to process river water into drinking water.

Ledger Gazette

<http://www.ledgergazette.com/epa-suspends-investigative-field-work-at-mine-sites-nationwide/25526/>

EPA Suspends Investigative Field Work at Mine Sites Nationwide

Shaun Bartel

August 13, 2015

And largely because the federal government inadvertently triggered the release, it has vowed to pay the bill.

With a research budget in excess of \$800 million, EPA has long appeared to be more concerned with public relations than public or environmental health.

“We didn’t have a big fish kill in the river”, said Jim White, an aquatic biologist with Colorado Parks and Wildlife.

“We will hold ourselves to a higher standard than anyone else”, she said.

McCarthy is also expected to speak in Farmington today and to meet with Navajo Nation President Russell Begaye and his administration. Disaster declarations remain in place in Colorado and New Mexico. There have been previous efforts to turn the area around the Gold King Mine into a Superfund site, which would fast-track funds for the containment of any toxic waste. They are continuing to watch the river and take water samples.

“We have roughly 73 million gallons of untreated water in reserve”, Rays said.

“Abandoned hard-rock mines in the mountains above Silverton have been a source of water pollution for many years”.

On Wednesday, the chairmen of the House Oversight and Subcommittee on the Interior called

for the EPA to investigate the Colorado spill. Experts say the heavy metals and other materials are still there, though, in the river beds.

Instead, workers accidentally collapsed part of the mine entrance, sending 3 million gallons of contaminated water directly into the river.

“No agency can be more sorry”, she said of the EPA. Pictured from left are Farmington Mayor Tommy Roberts, Aztec Mayor Sally Burbridge, Bloomfield Mayor Scott Eckstein and Kirtland Mayor Mark Duncan.

Still, she and the attorneys general from New Mexico and Utah say they stand ready to protect the rights of their states’ residents and ensure they are compensated for immediate and long-term damage caused by the spill.

“It takes years for sediments to clean once acid mine drainage has been removed”, Stednick said.

“We’re closely engaged because we think this is a multistate tragedy”, he said. The attorneys general support this. Ellen Roberts, a Republican who represents Durango, said she didn’t appreciate the campaign.

Along slow-moving stretches of river, the metals collect in sediments and gravel along river bottoms, which harbor fish eggs and larvae from aquatic insects. EPA officials said the company’s crews worked under the direction of the EPA in consultation with Colorado’s Division of Reclamation, Mining and Safety.

The EPA has previously said that state, local and federal authorities had agreed to keep the Animas and rivers closed to all fishing, recreation and intakes of water for drinking and irrigation until at least August 17.

“We are working with affected systems to increase sampling and monitoring”, said Dr. Larry

Wolk, the state health department director and chief medical officer. “They’re losing all their revenue”.

ProgressNow’s Amy Runyon-Harris sent out talking points Tuesday on the spill, which included, “Did the EPA “cause” the Animas River mine water spill?”

Utah Attorney General Sean Reyes said he’s encouraged the EPA is taking responsibility, but is not ruling out a lawsuit against the federal government. The contractors “felt like they didn’t have time to finish the job, so they backfilled the portal”, Mr. Hennis says.

New Mexico Attorney General Hector Balderas said during the conference that he met with mayors, commissioners and emergency responders in San Juan County.

McCarthy says the latest water testing results show that the river in Durango has returned to its former condition.

Whether these abandoned mines were slowly killing the Animas, or it was washed in waste in one massive burst, the Animas, the lifeblood of so many who depend on her in the Silverton-Durango region and beyond into New Mexico, was not well.

Contractor Identified

Wall Street Journal

<http://www.wsj.com/articles/epa-contractor-involved-in-colorado-spill-identified-as-environmental-restoration-1439414672>

EPA Contractor Involved in Colorado Spill Identified as Environmental Restoration

By AMY HARDER, ALEXANDRA BERZON and JENNIFER S. FORSYTH

Updated Aug. 12, 2015 6:58 p.m. ET

Missouri-based Environmental Restoration LLC was the contractor whose work caused a mine spill in Colorado that released an estimated 3 million gallons of toxic sludge into a major river system, according to an Environmental Protection Agency official and government documents reviewed by The Wall Street Journal.

The EPA, which was overseeing the servicing of the mine, had previously said an unnamed outside contractor was using heavy equipment when it accidentally triggered a breach in the abandoned Gold King Mine, letting out wastewater that had built up inside it.

“Environmental Restoration LLC was working at the direction at EPA in consultation with the Colorado Division of Reclamation, Mining and Safety,” an EPA official said on Wednesday.

Officials at the company, based in Fenton, Mo., didn’t return multiple calls for comment.

According to various government documents, Environmental Restoration had signed an agreement to provide emergency protection from pollutants from the Gold King Mine, near Durango, Colo., in the southwestern part of the state. The spill has fouled the nearby Animas River, turning its water mustard yellow in the initial several days after the spill on Aug. 5.

The money to fund the Gold King Mine cleanup comes out of EPA’s Superfund budget, according to Scott Sherman, a former deputy assistant administrator at EPA during the George W. Bush administration who oversaw Superfund and other waste programs.

Environmental Restoration is one of the largest EPA emergency cleanup contractors. It is the

main provider for the EPA's emergency cleanup and rapid response needs in the region that covers Colorado, as well as in several other parts of the country. It worked on the cleanup for some of the highest-profile disasters in recent history, including the aftermath of Hurricane Katrina, the Sept. 11, 2001, terrorist attack ground zero cleanup, and the Deepwater Horizon Gulf of Mexico spill remediation, according to the company's website.

From October 2007 through this month, Environmental Restoration has been awarded \$381 million in federal contracts, according to government procurement data compiled on USA Spending.gov. The vast majority—more than \$364 million—of that total was for work for the EPA. About 10%, or \$37 million of the EPA's awarded amount, was for contracts within the state of Colorado.

The Gold King mine wasn't a designated Superfund cleanup site, which would have required far more funding. Rather, Environmental Restoration was trying to stop wastewater from escaping the mine at the time of the breach, government documents indicate.

The massive spill—which resulted in dramatic images of mustard-colored wastewater laced with heavy metals—highlights the market for environmental cleanup firms, a lucrative government contracting business. The company was listed by an engineering trade publication last year as one of the top 100 environmental firms in the country, with revenue estimated at close to \$80 million.

Daily Caller

<http://dailycaller.com/2015/08/12/epa-contractor-behind-co-mine-spill-got-381-million-from-taxpayer/>

EPA Contractor Behind CO Mine Spill Got \$381 Million From Taxpayers

MICHAEL BASTASCH

9:19 PM 08/12/2015

The EPA may have been trying to hide the identity of the contracting company responsible for causing a major wastewater spill in southern Colorado, but the Wall Street Journal has revealed the company's identity.

Environmental Restoration (ER) LLC, a Missouri-based firm, was the "contractor whose work caused a mine spill in Colorado that released an estimated 3 million gallons of toxic sludge into a major river system," the WSJ was told by a source familiar with the matter. The paper also found government documents to corroborate what their source told them.

So far, the EPA has refused to publicly name the contracting company used to plug abandoned mines in southern Colorado, despite numerous attempts by The Daily Caller News Foundation and other media outlets to obtain the information. It's unclear why the agency chose not to reveal the contractor's name.

What is clear, however, is that ER has gotten \$381 million in government contracts since October 2007, according to a WSJ review of data from USA Spending.gov. About \$364 million of that funding came from the EPA, but only \$37 million was given to ER for work they had done in Colorado.

When contacted by phone, TheDCNF had been informed ER's offices had closed for the day. The EPA did not return a request for comment on the WSJ's story revealing the identity of the agency's contractor.

ER contractors reportedly caused a massive wastewater spill from the Gold King Mine in southern Colorado last week. EPA-supervised workers breached a debris dam while using heavy equipment and unleashed 3 million gallons of toxic wastewater into Cement Creek. The toxic plume eventually reached the Animas River where it's been able to spread even further, forcing Colorado and New Mexico to declare a state of emergency.

The EPA has taken responsibility for the spill and has officials on the ground working with local officials to remedy the situation. Still, local officials and Native Americans are furious with the

EPA over the spill, and have not ruled out legal action to make sure the agency remains accountable.

“No agency could be more upset about the incident happening, and more dedicated in doing our job to get this right,” EPA Chief Administrator Gina McCarthy said in a press conference in Durango, Colorado Wednesday. “We couldn’t be more sorry. Our mission is to protect human health and the environment. We will hold ourselves to a higher standard than anyone else.”

EPA is Handling the Problem

NY Times

<http://www.nytimes.com/2015/08/13/us/after-colorado-waste-spill-epa-halts-field-investigations.html>

After Colorado Waste Spill, E.P.A. Halts Field Investigations

By JULIE TURKEWITZ

AUG. 12, 2015

DENVER — After a contractor for the Environmental Protection Agency accidentally caused a mine to burst during a field investigation — releasing more than three million gallons of toxic waste — the agency’s top official said Wednesday that she had halted all similar investigations until further notice.

“It is just an opportunity for us to screen, to make sure that there is no potential for a release like this in another situation,” said Gina McCarthy, the E.P.A. administrator, at a news conference in Durango, Colo., about 50 miles south of the Gold King mine, where the accident took place.

There are an estimated 23,000 abandoned mines in Colorado, according to the state's department of natural resources, and about 500,000 around the country, according to the federal government.

The E.P.A. did not say how many mines are currently the subject of field investigations. The company that was working for the E.P.A. at the Gold King mine was identified by The Wall Street Journal as Environmental Restoration LLC of Fenton, Mo., which identifies itself on its website as a provider of hazardous waste management and removal.

A company secretary said late Wednesday that no one was available to comment. The E.P.A. is seeking an independent review of the cause of the spill, Ms. McCarthy said.

"It is a heartbreaking situation for E.P.A.," she added, saying that the agency would be "transparent and collaborative in making sure people have the information they need."

The spill occurred on Aug. 5, when the contractors were examining the Gold King, an abandoned mine owned by Todd C. Hennis of San Juan Corp. As workers using heavy machinery knocked away debris, a surprise onslaught of orange-yellow water poured out.

The spill prompted Utah, Colorado, New Mexico and the Navajo Nation to declare states of emergency. Levels of arsenic, lead and other metals rose in the areas south of the mine, though E.P.A. officials said Wednesday that tests indicated that in places where the toxic plume had already passed the water was returning to the levels of toxicity it had before the accident.

Officials have not determined what health risks, if any, the spill poses.

On Wednesday, the attorneys general of Colorado, New Mexico and Utah met in Durango to discuss a course of action. Through a spokesman, Colorado's attorney general, Cynthia H. Coffman, said a lawsuit against the E.P.A. is a possibility. But the spokesman, Roger Hudson, added that "litigation is not our first choice."

The president of the Navajo Nation, Russell Begaye, has said he plans to sue the agency.

The toxic plume flowed out of Gold King and into the Animas and San Juan rivers, toward Utah's Lake Powell. E.P.A. officials have been testing water along the path for signs of contamination, and say that they will release results as they have them.

The spill spurred waves of anger in communities that consider these water sources to be cultural and economic lifelines. Dan Olson, director of the San Juan Citizens Alliance, an environmental protection group in Durango, called Ms. McGrath's decision to shut down investigation at other mines "a wise precautionary move until the cause of this accident is fully understood."

Matt Rice, director of the Colorado Basin Program at American Rivers, called the mine burst the country's "wake-up call."

"It's an opportunity to talk about all these time bombs that are at the tops of very important rivers," he said.

Ledger Gazette

<http://www.ledgergazette.com/epa-suspends-investigative-field-work-at-mine-sites-nationwide/25526/>

EPA Suspends Investigative Field Work at Mine Sites Nationwide

Shaun Bartel

August 13, 2015

And largely because the federal government inadvertently triggered the release, it has vowed to pay the bill.

With a research budget in excess of \$800 million, EPA has long appeared to be more concerned with public relations than public or environmental health.

“We didn’t have a big fish kill in the river”, said Jim White, an aquatic biologist with Colorado Parks and Wildlife.

“We will hold ourselves to a higher standard than anyone else”, she said.

McCarthy is also expected to speak in Farmington today and to meet with Navajo Nation President Russell Begaye and his administration. Disaster declarations remain in place in Colorado and New Mexico. There have been previous efforts to turn the area around the Gold King Mine into a Superfund site, which would fast-track funds for the containment of any toxic waste. They are continuing to watch the river and take water samples.

“We have roughly 73 million gallons of untreated water in reserve”, Rays said.

“Abandoned hard-rock mines in the mountains above Silverton have been a source of water pollution for many years”.

On Wednesday, the chairmen of the House Oversight and Subcommittee on the Interior called for the EPA to investigate the Colorado spill. Experts say the heavy metals and other materials are still there, though, in the river beds.

Instead, workers accidentally collapsed part of the mine entrance, sending 3 million gallons of contaminated water directly into the river.

“No agency can be more sorry”, she said of the EPA. Pictured from left are Farmington Mayor

Tommy Roberts, Aztec Mayor Sally Burbridge, Bloomfield Mayor Scott Eckstein and Kirtland Mayor Mark Duncan.

Still, she and the attorneys general from New Mexico and Utah say they stand ready to protect the rights of their states' residents and ensure they are compensated for immediate and long-term damage caused by the spill.

"It takes years for sediments to clean once acid mine drainage has been removed", Stednick said.

"We're closely engaged because we think this is a multistate tragedy", he said. The attorneys general support this. Ellen Roberts, a Republican who represents Durango, said she didn't appreciate the campaign.

Along slow-moving stretches of river, the metals collect in sediments and gravel along river bottoms, which harbor fish eggs and larvae from aquatic insects. EPA officials said the company's crews worked under the direction of the EPA in consultation with Colorado's Division of Reclamation, Mining and Safety.

The EPA has previously said that state, local and federal authorities had agreed to keep the Animas and rivers closed to all fishing, recreation and intakes of water for drinking and irrigation until at least August. 17.

"We are working with affected systems to increase sampling and monitoring", said Dr. Larry Wolk, the state health department director and chief medical officer. "They're losing all their revenue".

ProgressNow's Amy Runyon-Harris sent out talking points Tuesday on the spill, which included, "Did the EPA "cause" the Animas River mine water spill?"

Utah Attorney General Sean Reyes said he's encouraged the EPA is taking responsibility, but is

not ruling out a lawsuit against the federal government. The contractors “felt like they didn’t have time to finish the job, so they backfilled the portal”, Mr. Hennis says.

New Mexico Attorney General Hector Balderas said during the conference that he met with mayors, commissioners and emergency responders in San Juan County.

McCarthy says the latest water testing results show that the river in Durango has returned to its former condition.

Whether these abandoned mines were slowly killing the Animas, or it was washed in waste in one massive burst, the Animas, the lifeblood of so many who depend on her in the Silverton-Durango region and beyond into New Mexico, was not well.

The Bigger Problem with Mines

NY Times

http://www.nytimes.com/2015/08/13/opinion/what-the-gold-mine-disaster-tells-us.html?_r=0

What the Gold Mine Disaster Tells Us

By THE EDITORIAL BOARD

AUG. 13, 2015

The General Mining Law of 1872 is among the last surviving statutes of the boisterous era of

westward expansion. Signed by Ulysses S. Grant, it establishes the basic rules for mining hard-rock minerals like gold, copper and uranium on public lands.

Useful in its day, the law is a destructive relic now. It allows mining companies to buy federal land for a few dollars an acre, demands no royalties and requires minimal environmental protections while the mine is operating and no cleanup afterward.

Its principal legacy, if it can be called that, is a battered landscape of abandoned mines and poisoned streams.

The durability of this law, which has resisted all efforts at reform, is worth noting in the wake of a terrible mining-related disaster. On Aug. 5, a team contracted by the Environmental Protection Agency to investigate leaks from an abandoned gold mine in Colorado accidentally unleashed a torrent of chemically laced water. The spill of more than three million gallons has poisoned over 100 miles of the Animas River with toxic wastes, turning the river a bright yellow-orange and threatening communities in Colorado, New Mexico, Utah and the Navajo Nation that draw water from the river and its tributaries.

But beyond this local disaster lies a national problem: According to Earthworks, a Washington-based advocacy group, there are 500,000 of these abandoned and unreclaimed mines scattered about the country. According to the E.P.A., the drainage from these mines has contaminated roughly 40 percent of the headwater areas of Western watersheds.

In other words, there are many similar disasters waiting to happen. One big reason is the permissive 1872 law: There has never been a firm legal requirement, let alone enough money, to clean these old mines up. One obvious remedy is comprehensive reform of that law.

In 2007, at the urging of then-Representative Nick Rahall of West Virginia, the House passed a modest bill requiring mining companies to pay royalties, just the way oil, gas and coal producers do. The money would have been used to clean up old mines, while tough safeguards would be imposed on new ones. But a similar bill went nowhere in the Senate, where Harry Reid, then the majority leader, has been less than enthusiastic about reform because mining is big business in Nevada, his home state.

Now Representative Raúl Grijalva, an Arizona Democrat, is trying again. His bill would levy royalties on both new and existing mines as well as a modest reclamation fee. Together these funds could at least begin the arduous, expensive but absolutely necessary task of addressing a major environmental problem.

Perhaps this time, with the Animas disaster fresh in its mind, Congress will pay attention.

LA Times

<http://www.latimes.com/opinion/op-ed/la-oe-0813-reynolds-mining-disaster-20150813-story.html>

Op-Ed The Animas River spill and the myth of mine safety

By JOEL R. REYNOLDS

August 13, 2015, 5:00 AM

The definition of a mine, said Mark Twain, is a hole in the ground owned by liars. And this month the industry's biggest lie — that it can be trusted with our water — is once again on display as another mining disaster has spilled millions of gallons of toxic mining waste and chemicals into our streams, rivers and lakes.

On Aug. 5, at the abandoned Gold King mine in southwest Colorado, a U.S. Environmental Protection Agency cleanup team inadvertently unleashed into a tributary of the Animas River a 3-million-gallon soup of toxic mining wastewater. The accident has closed the Animas indefinitely and threatens drinking water supplies, the economy and wildlife in the region, into New Mexico and potentially all the way to Lake Powell.

This latest tragedy followed by one year almost to the day a pair of mine containment failures in Canada and Mexico.

On Aug. 4, 2014, at the Mount Polley copper and gold mine in central British Columbia, an earthen dam built 17 years ago to hold mining waste laced with mercury, lead, copper and other heavy metals — called tailings — failed, inundating the Fraser River watershed.

Three days later and 1,200 miles south at the Buena Vista copper mine in Sonora, Mexico, 10 million gallons of mining acid turned the Bacanuchi and Sonora rivers orange with poisonous chemicals, shutting down drinking water supplies, closing schools and affecting an estimated 800,000 people. Called by Mexico's environment minister the "worst natural disaster provoked by the mining industry in the modern history of Mexico," the spill was apparently caused by recently constructed but defective holding tanks.

Federal decision-makers should consider this damage as they decide whether to permit a host of massive new mine projects around critical water bodies.

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This trio of mining disasters is, or at least should be, a wake-up call. In an era of advancing climate change, fresh water is the indispensable natural resource, essential to life for everyone everywhere, and becoming more valuable with each day of deepening drought. Yet staggering quantities of this precious resource are consumed by mining exploration, operations and long-term maintenance. Each year, roughly 180 million tons of tailings flow into rivers, lakes and oceans — an estimate that leaves out the unpermitted contamination caused by containment failures like those at Gold King, Mount Polley and Buena Vista.

Federal decision-makers should consider this damage as they decide whether to permit a host of massive mine projects around critical water bodies.

Best known is a proposal to build the largest copper and gold mine in North America at the headwaters of the world's greatest wild salmon fishery, in southwest Alaska, which produces 30 million to 50 million fish each year. If the Pebble Mine were built as planned, it would generate

an estimated 10 billion tons of mining waste laced with toxics — about 3,000 pounds for every person on Earth — to be contained forever in an area of high seismicity behind earthen dams as tall as the Three Gorges Dam in China. According to the EPA, the project poses a catastrophic risk to the waters of Bristol Bay, its wild salmon fishery and the \$1.5 billion in revenue and 14,000 jobs it sustains each year.

The battle over the Pebble Mine will set the stage for a long list of other proposed mining projects in risky proximity to critical waters: in Oregon, a nickel mine on a federally designated wild and scenic river that feeds the communities and natural wonders of the Northern California redwood coast; in Minnesota, copper and nickel mines that threaten the pristine waters of the Boundary Waters Canoe Area Wilderness; in Montana, the Black Butte copper mine on Sheep Creek in the upper watershed of the Smith River, a state-designated Blue Ribbon Trout Fishery and an essential source of irrigation and stock water for ranchers.

Although mining industry advocates argue correctly that mining is essential — copper, for example, is ubiquitous in our cars, phones, computers and appliances — there's no denying that mining is a dirty business. According to the EPA, mining produces more toxic waste than any other industry — about 25% of the entire U.S. toxics inventory.

The permissive General Mining Law of 1872, written to encourage mining, is still in force even though the pick, shovel and pan were long ago replaced by giant earthmovers that gouge open pits more than a mile across and thousands of feet deep. Billions of gallons of water are consumed in production, pumped through miles of vulnerable pipelines and stored in open pits of acidifying waste; huge swaths of land are destroyed in the wake of closed, abandoned and inadequately remediated mines.

After this month's mine disaster on the Animas, there is even less reason to believe the self-serving, impossible promises of mining executives who claim that with good engineering, they can protect our waters for centuries. Although cutting-edge technology should be mandatory for all mining today, not all areas are mandatory for mining. Assurances of safety must be skeptically reviewed. And some mining projects — such as the Pebble Mine — just aren't worth the risk.

Joel R. Reynolds is Western director and senior attorney for the Natural Resources Defense

Council.

CNN

<http://www.cnn.com/2015/08/13/us/colorado-abandoned-mines-epa/>

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Contaminated water from Colorado mines an ongoing problem

Ashley Fantz

UPDATED – August 13, 2015 at 11:49

One week after an Environmental Protection Agency cleanup effort at a dormant mine turned into a disaster, the agency announced it is halting all EPA field work in mines.

More than 3 million of gallons of wastewater from the Gold King Mine spilled into the nearby Animas River, turning it an alarming mustard hue.

The photos of the yellow-orange river were widely shared and have brought attention to a longstanding challenge that many were unaware of: how to regulate, treat and pay for the upkeep of abandoned and dormant mines in Colorado and across the country.

How many mines exist in the United States that are similar to the Gold King Mine?

The Gold King Mine hasn't operated since 1923.

The EPA has been overseeing abandoned mine lands -- which can include bodies of water and surrounding watershed -- for many years. The mines can pose "serious threats to human health

and the environment," the EPA says on its website, so the agency initiates and supervises the examination of these sites and tries to maintain or clean them up. The agency lists more than 15 case studies it has conducted of abandoned mines across the country, mostly in the West in states such as Colorado, Montana and California, but also in Vermont and Tennessee.

Earthworks is a Washington-based nonprofit environmental group that works with communities near mines. The scientists and activists who work for the group have been concerned since the 1990s about contamination leaking from old, inactive or abandoned mines.

The group wrote a report in 1993 which said that there were more than half a million abandoned hardrock mines in 32 states.

How dangerous could these mines be?

Those half a million mines, Earthworks says, have produced 50 billion tons of untreated, unclaimed mining wastes on public and private land. The report notes that wastes can include arsenic, asbestos, cadmium, copper, cyanide, iron, lead, mercury and sulfur, among other material, and produce airborne pollutants.

In Colorado this week, leading toxicologists say there could be health effects for many years from heavy metals such as mercury and lead that spilled into the water of the Animas River. Exposure to high levels of these metals can cause many health problems, including cancer and kidney disease, and also lead to developmental problems in children.

"Oh my God! Look at the lead!" said Joseph Landolph, a toxicologist at the University of Southern California, after looking at the amount of lead in the Animas River, which was nearly 12,000 times higher than the acceptable level set by the EPA.

"This is a major, major problem," said Jonathan Freedman, a toxicologist at the University of Louisville.

River toxic spill: 'This is a real mess'

In its latest statement, however, the EPA predicted the water would not have harmful effects on the health of people or animals.

"Based on the data we have seen so far, (the EPA doesn't) anticipate adverse health effects from exposure to the metals detected in the river water samples from skin contact or incidental (unintentional) ingestion," the agency said. "Similarly, the risk of adverse effects to livestock that may have been exposed to metals detected in river water samples from ingestion or skin contact is low."

How did the leak happen and how did the EPA initially respond?

On August 5, Environmental Protection Agency workers were trying to place a pipe into the opening of the mine to collect wastewater and prevent it from polluting Cement Creek and the Animas River. Before the spill, water carrying "metals pollution" was flowing into a holding area outside the mine.

Though it's unclear still exactly how the mistake was made, the EPA said the spill occurred when one of its teams was using heavy equipment to enter the mine near Durango, Colorado.

EPA Administrator Gina McCarthy apologized Tuesday for the spill and said, "I don't have a complete understanding of anything that went on in there. If there is something that went wrong, we want to make sure it never goes wrong again."

The amount of polluted water spilled was triple what the EPA originally estimated. The EPA first said 1 million gallons had rushed out. The U.S. Geological Survey then reported the size of the spill to be more than 3 million gallons. Blue water turned mustard-yellow and coursed into New Mexico within days. The EPA said this week it is helping provide water delivery to areas where water sources are contaminated.

How concerning was the Gold King Mine before the leak?

Earthworks' policy director Lauren Pagel, who gave congressional testimony about abandoned mines in 2013, told CNN that the Gold King Mine had been leaking acid mine drainage for years.

Acid drainage into water "often will make it too acidic for aquatic life to exist," she said.

But the Gold King Mine is not the only mine that is leaking.

Meeting minutes of the Animas River Stakeholders Group show monthly discussions over wastewater leaks, pollution levels and efforts to address the problem.

The pollution from the mines has generally decreased since the 1990s and 2000s, according to reports, but has gotten worse in some areas.

How are locals reacting?

Several political leaders have expressed outrage at the EPA spill and declared states of emergency, but the Navajo Nation was the first to say it would take legal action against the federal government.

"They are not going to get away with this," Navajo Nation President Russell Begaye said. "The EPA was right in the middle of the disaster, and we intend to make sure the Navajo Nation recovers every dollar it spends cleaning up this mess and every dollar it loses as a result of injuries to our precious Navajo natural resources."

Begaye also instructed the Navajo Nation Department of Justice to take action against the EPA.

In a release from the New Mexico Environment Department, state engineer Tom Blaine pulled no punches, saying, "Despite the fact that EPA did not notify New Mexico directly and took no action to alert New Mexicans to the potential danger, we took steps to ensure the protection of our water users in the area."

The attorneys general for Colorado, Utah and New Mexico said they might sue the federal government individually or collectively, though Colorado Attorney General Cynthia Coffman said, "It is too early to know if litigation is necessary or appropriate."

In a statement, the Utah attorney general's office said that all three states support an independent review of the mishap in addition to the EPA's review.

Can a state or individuals sue the EPA?

Citizens and others can sue any responsible party under the Clean Water Act citizen suit provision, said Pagel. The Clean Water Act and case law surrounding liability under that law is clear, but while the EPA team caused the disaster, the company that currently owns the mine site and any company associated with the pollution previously are also liable under the law, she said.

"It's sort of like suing yourself because any money the EPA pays out comes from us, the taxpayers," said Pagel.